

Crl.M.P.No.7154 of 2021
in
Crl.O.P.No.521 of 2021
M.NIRMAL KUMAR.,J

The State has moved a petition seeking extension of time. This Court by the order dated 19.01.2019 in Crl.O.P.No.521 of 2021 had directed the respondent police to complete the investigation and file a final report within a period of six months.

2. The learned Government Advocate (Crl.Side) has submitted that the case pertains to usage of fake Passport and there are totally nine accused, and the petitioner therein is a Srilankan National, and he has stayed in the Srilankan Refugee Camp. All the accused had conspired together and created the forged Passport. Now, the investigation is almost completed and they are awaiting forensic report's, sanction and for the same, already steps taken and within a stipulated period charge sheet would be filed. He further submitted that he seeks another six months.

3. The learned counsel for the respondent has submitted that the petitioner in Crl.O.P.No.521 of 2021 was arrested and he is in prison from 2015 onwards, since the petitioner is a foreigner, the bail is strongly objected and he is in confinement. The detention of the petitioner for non completion of investigation amounts to pre-trial conviction.

4. It appears from the submissions of the learned Government Advocate that the investigation is almost completed and they are awaiting forensic report and sanction from the sanctioning Authority. In view of the same, this Court is inclined to give an extension of time for a period of three months for the respondent to file a final report before the appropriate Court. The respondent police to give priority, approach the forensic department as well as the sanctioning Authority and see to that at the earliest both are received and a final report is filed without any further delay. The period of three months is only an outer limit. The respondent is reminded that the petitioner is in confinement as under trial prisoner from 2015 onwards.

5. This petition is ordered accordingly.

29.07.2021

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